

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

ERIK SALAIZ,

Plaintiff,

v.

AMERICAN TAX SERVICE LLC,

Defendant.

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CAUSE NO. EP-25-CV-48-KC

SHOW CAUSE ORDER

On this day, the Court considered the case. Plaintiff served Defendant on February 24, 2025. Summons Returned Executed, ECF No. 4. Accordingly, Defendant's answer was due by March 17, 2025. Fed. R. Civ. P. 12(a)(1)(A). That deadline passed without Defendant filing an answer.

Therefore, on April 16, the Court ordered Plaintiff to move for entry of a default and a default judgment by May 16, if he intended to seek such relief. Apr. 16, 2025, Order, ECF No. 5. Alternatively, if Plaintiff did not intend to pursue default judgment, the Court ordered him to file a status report by the same date, informing the Court of how he intended to proceed. *Id.*

That deadline has now passed. Plaintiff has neither moved for default judgment nor filed a status report.

Accordingly, the Court **ORDERS** Plaintiff to move for entry of a default and a default judgment **on or before May 26, 2025**, if he intends to seek default judgment.

IT IS FURTHER ORDERED that, if Plaintiff does not intend to seek default judgment, he shall file a status report **on or before May 26, 2025**, informing the Court of the status of the litigation and how he intends to proceed.

IT IS FURTHER ORDERED that Plaintiff **SHOW CAUSE**, on or before May 26, 2025, for his failure to comply with the Court's prior Order.

Failure to comply with this Order and show good cause will result in dismissal of the case for failure to prosecute.

SO ORDERED.

SIGNED this 19th day of May, 2025.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE